

RENEWAL OR AMENDMENT APPLICATION TO OPERATE A SOLID WASTE DISPOSAL FACILITY

Return to: SD Department of Environment and Natural Resources
Waste Management Program
523 East Capitol - Joe Foss Building
Pierre, South Dakota 57501-3182
Telephone: (605) 773-3153

1.0 General Information:

Is this a: renewal of permit_____

 amendment of permit_____

What is the permit number? _____

- 1.01 Landowner Information: (ARSD 74:27:09:03)

Name: _____
Mailing Address: _____
City, Zip Code: _____
Telephone Number: _____

- 1.02 Operator Information: (ARSD 74:27:09:03)

Name: _____
Mailing Address: _____
City, Zip Code: _____
Telephone Number: _____

- 1.03 Applicant/Permit Holder Information: (ARSD 74:27:09:03)

Name: _____
Mailing Address: _____
City, Zip Code: _____
Telephone Number: _____

- 1.04 Lien Holder of Public Record: (ARSD 74:27:09:03)

Name: _____
Mailing Address: _____
City, Zip Code: _____
Telephone Number: _____

- 1.05 Legal description of facility (quarter-quarter, section, township, range, county; if subdivided, indicate lots and subdivision): (ARSD 74:27:09:03)

- 1.06 Type of facility (ARSD 74:27:09:03): _____ Landfill _____ Industrial
 _____ Monofill (specify) _____
 _____ Other (specify) _____

- 1.07 Estimated annual tonnage: (ARSD 74:27:09:03) _____

1.08 Type(s) of waste: (check all that apply) (ARSD 74:27:09:03)

- | | |
|---|--|
| <input type="checkbox"/> Rubble | <input type="checkbox"/> Waste tires |
| <input type="checkbox"/> Construction/demolition debris | <input type="checkbox"/> Noninfectious medical waste |
| <input type="checkbox"/> Household waste | <input type="checkbox"/> Sludge |
| <input type="checkbox"/> Industrial waste | <input type="checkbox"/> Liquid waste |
| <input type="checkbox"/> Petroleum contaminated soil | <input type="checkbox"/> Ash |
| <input type="checkbox"/> Pesticide containers | <input type="checkbox"/> Yard waste |
| <input type="checkbox"/> Regulated asbestos-containing material | <input type="checkbox"/> Animal wastes |
| <input type="checkbox"/> Lead-acid batteries | <input type="checkbox"/> White goods/salvageable metal |
| <input type="checkbox"/> Waste oil | |
| <input type="checkbox"/> Household or conditionally exempt small quantity generator hazardous waste | |
| <input type="checkbox"/> Other _____ | |

1.09 Sources of waste: (ARSD 74:27:09:03)

1.10 Population served by facility: (ARSD 74:27:09:03)

1.11 Are there specific applicable local zoning ordinances which restrict the proposed activity? (ARSD 74:27:08:04)
yes_____ no_____

(Attach letter of zoning approval or letter stating there are no ordinances or conditional use permits required.)

1.12 Attach a description of local concerns including summaries of general comments, questions, proceedings of public meetings, and any other environmental reviews. (ARSD 74:27:09:03)

1.13 Are other state/local permits required? (ARSD 74:27:08:04 & 74:27:09:03)
yes_____ no_____

If yes, describe the permits and their status

2.0 Design Information (Note: Design information needs to be updated only if different from previously submitted applications.)

2.01 Attach a general description of the type of design, including ground water and surface water protection features, leachate minimization features, and estimated impacts to surface waters and ground waters. (ARSD 74:27:09:03)

2.02 Describe in an attachment how the facility meets the design and construction requirements of ARSD 74:27:12, including a copy of the construction quality assurance plan. (ARSD 74:27:09:03 & 74:27:12:22)

- 2.03 Describe in an attachment the design methods, design assumptions, data, calculations, and descriptions addressing: (ARSD 74:27:09:03)
- a) Sources, types, and amounts by weight and volume of solid waste received both monthly and annually
 - b) Projected life of facility
 - c) Life expectancy of landfill units, special waste management areas, and a timetable for fill progression
 - d) Volume of cover required for liner, daily cover and closure
 - e) Water usage and source
 - f) Sedimentation and erosion control plan
 - g) Sizing for pumps, piping, ditches, culverts, ponds, etc.
- 2.04 Describe the technical details for all aspects of the facility design, including: (ARSD 74:27:09:03 & 74:27:12)
- a) Existing grade, excavation grade, and final grade
 - b) Surface and subsurface drainage controls
 - c) Well logs and ground water monitoring well completion details
 - d) Progressive development of trenches or area fills
 - e) Cover material stockpile locations
 - f) Surface water quality monitoring system
 - g) Trenches and fill areas including special waste areas
 - h) Borrow and fill areas
 - i) Cross-sections of the lowest point in the lowest cell relating to ground water elevation
 - j) Roads
 - k) Perimeter fencing
 - l) Access control
 - m) Litter fence placements
 - n) Facility boundary and buffer zone
 - o) Facility buildings for equipment and personnel
 - p) Liners
 - q) Ground water monitoring locations
 - r) Leachate collection, removal and treatment systems
 - s) Methane gas monitoring system
- 2.05 Describe in an attachment miscellaneous information, including a table of the capacity and purpose for each piece of equipment required to operate the facility as designed. (ARSD 74: 27:09:03 & 74:27:13:12)
- 2.06 Include the calculations performed to determine the potential for leachate generation at the site. (ARSD 74:27:12:18)
- 3.0 Site Information** (Note: Site information needs to be updated only if different from previously submitted applications.)
- 3.01 Attach copies of written correspondence received from contacts on the enclosed permit information sources sheet.
- 3.02 Is the facility within 5,000 feet of any airport runway end used by piston-type aircraft only, or within 10,000 feet of any airport runway end used by turbojet aircraft? (ARSD 74:27:11:04)
yes_____ no_____
- Attach copy of written correspondence sent to the Federal Aviation Administration if the facility is within five miles of a public airport. (ARSD 74:27:11:04)

- 3.03 Is the site within 1,000 feet of: (ARSD 74:27:11:05 & 74:27:11:06)
- | | | |
|---------------------------------------|-----|----|
| a) Any occupied dwelling? | yes | no |
| b) Any interstate or primary highway? | yes | no |
| c) Any park/recreation area? | yes | no |
| d) Any classified surface water? | yes | no |

If yes, describe distance(s) and direction(s) from the boundaries of the facility. Attach additional sheet if necessary.

Is the site located in: (ARSD 74:27:11:03, 74:27:11:07 & 74:27:11:08)

- | | | |
|----------------------------|-----|----|
| a) A wetland? | yes | no |
| b) A gravel pit or quarry? | yes | no |
| c) An unstable area? | yes | no |
| d) A seismic impact zone? | yes | no |
| e) A fault area? | yes | no |
| f) A 100-year floodplain? | yes | no |

- 3.04 Facility size (acres): (ARSD 74:27:12:03)
- | | |
|----------------------------|-------|
| a) Permitted area | _____ |
| b) Active disposal area | _____ |
| c) Other operational areas | _____ |

- 3.05 Describe the current land use and zoning within a one-mile radius. (ARSD 74:27:12:03)

- 3.06 List the occupied dwellings within a one-mile radius. (ARSD 74:27:12:03)

- 3.07 Describe the water usage, including sources of water and well depths within a one-mile radius. (ARSD 74:27:12:03)

- 3.08 List surface waters and their classifications, including wetlands within a one-mile radius. (ARSD 74:27:12:03)

- 3.09 Describe the general topography and drainage patterns within a two-mile radius. (ARSD 74:27:12:03)

- 3.10 Describe the existing site information, its source, reliability, and extent. (ARSD 74:27:12:03)

- 3.11 Describe in an attachment the soil and geologic conditions at the site, including soil types and characteristics, thickness of unconsolidated material, lithologic profile, fracture patterns, unstable areas, seismic impact zones and fault areas. (ARSD 74:27:12:03)
- 3.12 Describe in an attachment the hydrogeologic conditions at the site including depth of ground water; saturated extent of potentially impacted aquifers; potential for ground water use for domestic water supplies, livestock watering, and irrigation purposes; and horizontal and vertical flow rate, flow gradient, and ambient quality of ground water. (ARSD 74:27:12:03)

4.0 Maps (Note: Maps need to be updated only if different from previously submitted applications.)

- 4.01 Attach a United States Geological Survey 7.5 minute quadrangle topographical map of the site area with the facility boundary indicated. (ARSD 74:27:09:03)
- 4.02 Attach an existing conditions map(s) of the area showing: (ARSD 74:27:09:03)
- a) Section, township, and range (PLAT)
 - b) Land use and zoning within one mile from all boundaries of the site
 - c) Land and mineral ownership of permitted site
 - d) All occupied dwellings within one mile from all boundaries of the site
 - e) Roads
 - f) Surface water
 - g) Ground water wells
 - h) All other existing and man-made features
 - i) Facility layout and boundaries
 - j) 100-year floodplain
 - k) Wetlands
- 4.03 Attach a contour map of the shallowest occurrences of ground water, and of any other ground water surface of concern, showing the ground water monitoring locations and disposal areas. (ARSD 74:27:09:03)
- 4.04 Attach site maps showing the locations of soil borings, piezometers, soil tests, existing wells, monitoring wells, and other information completed or obtained for the site characterization required by ARSD 74:27:12:03.

5.0 Operational Information

- 5.01 Attach an operations plan that addresses each of the requirements in ARSD 74:27:13, including the sources and amounts of special wastes to be handled. A copy of the recordkeeping log to be used, a copy of the emergency response and remedial action plan, a description of waste screening methods, a description of the personnel training plan, and a description of leachate management practices must be included with the operational plan.
- 5.02 Describe miscellaneous information including: (ARSD 74:27:09:03)
- a) Fees and collection methods
 - b) Volume reduction methods used at the site
 - c) Dust control methods
- 5.03 Attach a ground water monitoring plan as required by ARSD 74:27:19.

6.0 Describe in an attachment the closure/postclosure plans required by ARSD 74:27:15.

7.0 Include financial assurance information required by ARSD 74:27:16.

8.0 Application Fees: Attach the appropriate fee with the application. The application fee is based on the tonnage of solid waste received by the facility per year. (ARSD 74:27:08:02 & 74:27:08:03)

_____ Type I - More than 150,000 tons per year \$5,000.
_____ Type IIA - 25,000 to 149,999 tons per year \$ 500.
_____ Type IIB - 5,000 to 24,999 tons per year \$ 500.
_____ Type III - 500 to 4,999 tons per year \$ 250.
_____ Type IV - Less than 500 tons per year No fee.

9.0 Signatures

This application is submitted in accordance with the provisions of the South Dakota Solid Waste Rules, ARSD 74:27:09. By signing this permit application, the signatory acknowledges that they have read and understand the information contained in the foregoing application and attachments, and to the best of their knowledge, the information is true and accurate.

Landowner's Signature

Date

Operator's Signature

Date

Supervising Engineer's Signature

Date

Lien Holder's Signature

Date

Department of Environment and Natural Resources
Waste Management Program
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3182
Telephone: (605) 773-3153

**STATE OF SOUTH DAKOTA
BEFORE THE SECRETARY OF
THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

IN THE MATTER OF THE)	CERTIFICATION OF
APPLICATION OF)	APPLICANT
)	
STATE OF _____)	
)	SS
COUNTY OF _____)	

I, _____, the applicant in the above matter after being duly sworn upon oath hereby certify the following information in regard to this application:

(A) South Dakota Codified Laws Section 1-40-27 provides:

"The secretary may reject an application for any permit filed pursuant to Titles 34A or 45, including any application by any concentrated swine feeding operation for authorization to operate under a general permit, upon making a specific finding that:

(1) The applicant is unsuited or unqualified to perform the obligations of a permit holder based upon a finding that the applicant, any officer, director, partner or resident general manager of the facility for which application has been made:

- (a) Has intentionally misrepresented a material fact in applying for a permit;
- (b) Has been convicted of a felony or other crime involving moral turpitude;
- (c) Has habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage;
- (d) Has had any permit revoked under the environmental laws of any state or the United States; or
- (e) Has otherwise demonstrated through clear and convincing evidence of previous actions that the applicant lacks the necessary good character and competency to reliably carry out the obligations imposed by law upon the permit holder; or

(2) The application substantially duplicates an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Nothing in this subdivision may be construed to prohibit an applicant from submitting a new application for a permit previously denied, if the new application represents a good faith attempt by the applicant to correct the deficiencies that served as the basis for the denial in the original application.

All applications filed pursuant to Titles 34A and 45 shall include a certification, sworn to under oath and signed by the applicant, that he is not disqualified by reason of this section from obtaining a permit. In the absence of evidence to the contrary, that certification shall constitute a prima facie showing of the suitability and qualification of the applicant. If at any point in the application review, recommendation or hearing process, the secretary finds the applicant has intentionally made any material misrepresentation of fact in regard to this certification, consideration of the application may be suspended and the application may be rejected as provided for under this section.

Applications rejected pursuant to this section constitute final agency action upon that application and may be appealed to circuit court as provided for under chapter 1-26.

(B) South Dakota Codified Law Section 34A-6-1.10 provides:

“Responsibility and liability of owner or operator. The owner or operator of a solid waste disposal facility that is regulated under 34A-6-1.1 to 34A-6-1.38, inclusive, is responsible in perpetuity for the solid waste and liable in perpetuity for any pollution or other detrimental effect caused by the solid waste. No person may dispose of solid waste other than mine wastes in this state until the owner or operator of the solid waste disposal facility executes an agreement with the board acknowledging such perpetual responsibility and liability for the solid waste.”

Pursuant to SDCL 1-40-27, I certify that I have read the forgoing provision of state law, and that I am not disqualified by reason of that provision from obtaining the permit for which application has been made. In addition, pursuant to SDCL 34A-6-1.10, I hereby agree to and accept perpetual responsibility and liability for the solid waste disposal at this facility.

Dated this _____ day of _____ 20____.

Applicant

Subscribed and sworn before me this _____ day of _____ 20____.

Notary Public

My commission expires: _____

(SEAL)

**PLEASE ATTACH SHEET DISCLOSING ALL FACTS PERTAINING TO
SDCL 1-40-27 (1) (a) THROUGH (e).
ALL VIOLATIONS MUST BE DISCLOSED, BUT WILL NOT
AUTOMATICALLY RESULT IN THE REJECTION OF AN APPLICATION**

STATE OF SOUTH DAKOTA

**BEFORE THE SECRETARY OF THE
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

IN THE MATTER OF THE SOLID WASTE)
APPLICATION OF)

**CERTIFICATION OF
APPLICANT (SDCL 34A-6-74)**

_____))
STATE OF _____) SS
COUNTY OF _____)

I, _____ (authorized signatory) for the _____ of _____ in the above matter,
hereby certify to the following requirements in regard to this application:

A.) The applicant has completed or is otherwise included in a solid waste source reduction and recycling plan prepared pursuant to SDCL 34A-6-74, and

B.) The applicant has documented compliance with the source reduction and recycling plan pursuant to SDCL 34A-6-76.

Pursuant to SDCL 34A-6-76, I hereby certify that I have read SDCL 34A-6-74 and 34A-6-76 and I am in compliance with both sections.

Dated this _____ day of _____ 20____.

Applicant

INFORMATION SOURCES (November 2001)

A. Flood Plain Information

1. U.S. Army Corps of Engineers
106 S. 15th Street
Omaha, NE 68102-1618
Randall Behm, Chief (402) 221-4596
2. Federal Emergency Management Agency (FEMA)
Flood Map Service Center
PO Box 1038
Jessup, MD 20794-1038 1-800-358-9616
3. Contact County Government where located.
4. Division of Emergency Management (605) 773-3231
5. Planning & Development Districts:
Watertown (605) 882-5115
Aberdeen (605) 626-2595
Sioux Falls (605) 367-5390
Yankton (605) 665-4408
Rapid City (605) 394-2681

B. Wetlands Information

- *
1. U.S. Department of the Interior
Fish & Wildlife Service
420 S. Garfield
Pierre, SD 57501 Scott Larson (605) 224-8693
 2. Contact local NRCS office

C. USGS Topographic Map Information

1. Contact local NRCS office
2. USGS Map Sales 1-888-275-8747
Box 25286
Denver, CO 80225
3. Planning & Development Districts

D. Airport Safety Information

1. Federal Aviation Administration
Bismarck Airports District Office
2301 University Drive Bldg 23B
Bismarck, ND 58504
Phone: (701) 323-7380
Fax: (701) 323-7399
2. SD Department of Transportation
Office of Aeronautics
700 Broadway Avenue East
Pierre, SD 57501-2568
Phone: (605) 773-5037
Fax: (605) 773-3921

E. Geological & Ground Water Information

1. Contact local NRCS office
2. SD Geological Survey
USD Science Center
Vermillion, SD 57069-2390
Phone: (605) 677-5227
3. US Geological Survey
Water Resources Division
1608 Mountain View Road
Rapid City, SD 57702
4. Contact local well driller(s)

F. Soil Classification Information

1. Contact local NRCS office

G. Surface Water/Wetlands

- *
1. Dept. of Environment and Natural Resources
523 East Capitol - Joe Foss Bldg.
Pierre, SD 57501-3182
John Miller - (605) 773-3351
Also for 401 Certification
 2. Resource Conservation and Forestry Division
Phone: (605) 773-3623
Note: **For informational purposes only.**
 3. Game, Fish & Parks
523 East Capitol - Joe Foss Bldg.
Pierre, SD 57501-3182
John Kirk - (605) 773-3387
 4. Bureau of Reclamation
PO Box 226
Newell, South Dakota 57760
(605) 456-2695
For Black Hills area
 5. US Army Corps of Engineers
Pierre Regulatory Office
Oahe Dam Admin Building
P.O. Box 1117
Pierre, South Dakota 57501
Phone: (605) 224-8531 Fax: (605) 224-5945
For 404 Permitting

***These people must be contacted for all permits.**

For additional information call the Waste Management Program at (605) 773-3153